REMARKS

This is in response to the non-final Official Action currently outstanding in the above-identified application.

Claims 1-10 were present in this application at the time of the issuance of the currently outstanding non-final Official Action (Claim 11 having been canceled, without prejudice, previously). The present Request for Reconsideration does not amend, cancel, withdraw or add any claims. Accordingly, the claims under active prosecution in this application remain Claims 1-10.

The claims as they currently stand (including appropriate status identifiers) are set forth in full hereinabove for the convenience of the Examiner and in the spirit of the Rules.

In the currently outstanding Official Action, the Examiner has:

1. Acknowledged Applicants' claim of foreign priority under 35 USC 119(a)-(d), and confirmed the safe receipt of the priority document for this application by the United States Patent and Trademark Office;

2. Indicated that the drawings filed in this application on 19 June 2003 are accepted;

3. Provided Applicants with a Notice of References Cited (Form PTO-892);

4. Indicated that Applicant's previous arguments have been considered but that those arguments are deemed to be moot in view of the newly stated grounds of rejection in the currently outstanding Official Action;

5. Rejected Claims 1-10 under 35 USC 102(b) as being anticipated by Namikata (US 7,262,870).

With regard to items 1-4 above, further detailed discussion in these Remarks is not believed to be necessary.

The present invention provides a digital multifunctional device for storing inputted image data in an image data storage unit and processing the image data, characterized in that, when a device is removed from the installation site because of being replaced with a new device or the like, the device comprises functions that clear the image data storage unit *and thereafter to restrict the operation for processing image data as an image processing device in order to avoid the device to be removed from the installation site with the image data remaining (stored) in the image data storage unit*. The latter feature provides users with security (i.e., users do not have to fear leakage of confidential and private information) when the device is removed from the installation site or discarded, as the data storage unit of the device has been certainly and permanently cleared (i.e., the device is restricted from any further storage and/or processing of image data).

On the other hand, Namikata discloses a host computer which constitutes a terminal side requesting a printing processing to a printer, wherein a scanner driver reads a document by controlling an action of the scanner and a printer driver performs a printing processing for a printer with image data inputted from a scanner. The scanner and printer drivers are respectively equipped with a judging module for judging whether or not and image data to be processed is a copy prohibited image data, and indicate via an alarm or otherwise to the monitor when image data to be processed is judged to be highly likely to be a copy prohibiting image.

Accordingly, it will be understood that in comparison with Namikata reference, a primary feature of the present invention is that once all image data stored in the device has been cleared, thereafter the operation for processing image data as an image processing device is restricted (stopped). By this the present specification and claims clearly indicate that the image processing device is rendered unable to process any new image data .

According to Namikata, on the other hand, when a document image data to be scanned or printed is judged to be a copy prohibited image data, the image processing is stopped at that point, i.e., the image data judged as being copy prohibited image data cannot be processed. Significantly, however, in the Namikata reference even in the case wherein an application processing data that is determined to be (or to be likely to be) forged data is forcedly closed so as to prevent further processing of that data, Applicant has been able to find no support in the Namikata reference for the Examiner's conclusion that such a forced closing of an application in Namikata forecloses the ability of the Namikata device from subsequently storing more data and re-entering the processing and judgment sequence. This is respectfully submitted to be distinctly different from present invention that specifically permanently precludes such subsequent storage, processing or both of additional new data to be processed.

Therefore, Applicants respectfully submit that while the present invention and the Namikata reference may appear to be somewhat similar in terms of restricting operations for processing image data already stored in the device under certain conditions, the conditions under which this result occurs are clearly and distinctly different from one another. Hence,: in the present invention it will be seen that "clearing the memory unit in the device" involves the destruction of the data in the device and its storage *and the restriction (preclusion) of subsequent storage operations, (i.e., "...for restricting storage of image data to be newly processed and for precluding (restricting) operations for processing the stored image data to be newly processed"*). Namikata, on the other hand, is premised upon "judging an image data as a copy prohibiting image data", and following such a determination in appropriate circumstances the then running application is forced to close and in some cases stored data remaining in storage is "destroyed". Nevertheless, as indicated above as far as Applicant has been able to determine, the forced closing of the running application and the destruction of data remaining in the storage in Namikata takes place *without* the preclusion of ("restriction of") data storage and processing operations of subsequently received data by the device in question.

Accordingly, Applicants respectfully *traverse* the Examiner's currently outstanding prior art rejection and respectfully request reconsideration.

As mentioned above, the basis for this traversal of the Examiner's position is that none of the applied art, alone or in combination, teaches or suggests the features of Claims 1 and 6 of the present invention. In particular, it is respectfully submitted that as was previously the case in this application, the art cited by the Examiner does not teach, disclose or suggest an operation restricting unit for (1) restricting storage of image data to be newly processed and (2) restricting operations for processing the image data to be newly processed *when a demand for the image processing device to destroy the image data stored in the image processing device is made (without any requirement whatsoever for the judgment step that makes up the heart of the Namikata device)* and the image data destruction unit destroys the image data stored in the image data storage unit. In other words, as stated previously in this prosecution:

In further support for this position, Applicants respectfully note that in the specification of the present application the function of the restricting unit is described at the final paragraph of page 24 as follows:

> In this embodiment, what is meant by restricting the operation for processing the image data as an image processing device is to completely lock the operation for processing the image data so as to reassure the user discarding the image processing device that the image data is disposed (reassure data security). However, it is also possible to restrict only a portion of the functions of the device, such as prohibiting use of the mass-storage system or hard disc (in other words prohibiting access to the mass-storage system) disposed in the image processing device.

and at the final full paragraph of page 33 as follows:

> Moreover, the operation of the restriction means comprises a function to restrict the operation for processing image data and to display the information related to the restriction on the display unit of the manipulation means, so the user can be informed that the operation for processing the image data is restricted. Therefore, the user of the device can confirm that the image processing operation is restricted and be reassured.

Accordingly, Applicants respectfully submit that the Examiner has mischaracterized the disclosure of the Chisop reference as it relates to the present claims. Specifically, the fact that image data may be "concealed" does not mean that the operation of the processing device is necessarily restricted. In the present invention, however, the operation restricting unit restricts the operation for processing the image data such that the user can be assured when the image destruction unit has supposedly destroyed the data that none of the data that was supposed to have been destroyed will thereafter inadvertently be allowed to leak out personal or otherwise confidential data to an unauthorized user via the operation of the associated image processing function of the device. The foregoing Amendment emphasizes this point by the addition of language directed specifically to the restriction of storage of image data to be newly processed in addition to the restriction of the operation for processing the previously stored image data.

Therefore, in view of the foregoing Remarks, Applicants respectfully submit that this application now is in condition for allowance and request reconsideration and a decision so holding in response to this submission.

Applicants also believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: June 11, 2008

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SIGNATURE OF PRACTITIONER

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